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VIA FOIA ONLINE

July 28, 2020

National Freedom of Information Officer
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, D.C. 20460

Re: Request for Documents Under the Freedom of Information Action, 5 U.S.C. § 552

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, the undersigned respectfully requests the prompt release of the information specified below related to the Hunters Point Naval Shipyard ("HPNS") located in San Francisco, California, including environmental site remediation conducted by Tetra Tech, Inc. and Tetra Tech EC, Inc.

1. Any and all documents related to the performance of Work by any Tetra Tech Entity at HPNS. ("**Work**" as used herein refers to performing, implementing, directing, organizing, managing, and/or supervising any tasks, activities, or projects for the assessment, investigation or remediation of radiological materials at the HPNS, including but not limited to preliminary, interim or final assessments, record reviews, field inspections, site inspections, remedial investigations, feasibility studies, creation of proposed plans and/or records of decision, risk management reviews, investigations, historical assessments, revised studies, sampling, tests, analysis, evaluation, planning, remediation, removals, and/or preparation of draft and final reports of any kind. "**Tetra Tech Entity**" as used herein refers to Tetra Tech EC, Inc., Tetra Tech EM, Inc., and Tetra Tech, Inc. "**Tetra Tech EC, Inc.**" as used herein refers to Tetra Tech EC, Inc., its agents, subsidiaries, employees, predecessors (including but not limited to Foster Wheeler Environmental Corporation and Tetra Tech FW, Inc.) and any affiliated entities and fictitious business names it used or does still use. "**Tetra Tech EM, Inc.**" as used herein refers to Tetra Tech, EM, Inc., its agents, subsidiaries, employees, predecessors (including but not limited to PRC Environmental Management), and any affiliated entities or fictitious business names it used or does still use. "**Tetra Tech, Inc.**" as used herein refers to Tetra Tech, Inc., its agents, subsidiaries, employees, predecessors (including but not limited to Tetra

- Tech EM, Inc.), and any affiliated entities or fictitious business names it used or does still use.)
2. Any and all communications related to any discrepancies, inconsistencies, and/or issues contained in any documents submitted by any Tetra Tech Entity related to Work performed at HPNS
 3. Any and all communications with any Tetra Tech Entity related to the performance of Work at HPNS.
 4. Any and all communications related to any petition to revoke Materials License No. 29-31396-01 granted by the Nuclear Regulatory Commission to Tetra Tech EC, Inc.
 5. Any and all communications related to the plea agreement entered into between the United States and Stephen C. Rolfe on or about March 2017.
 6. Any and all communications related to the plea agreement entered into between the United States and Justin E. Hubbard on or about May 2017.
 7. Any and all communications with Five Point Holdings related to any complaint made (from any source) to the EPA related to Work at HPNS. "Five Point Holdings" as used herein refers to Five Point Holdings, LLC, its agents, subsidiaries, employees, predecessors and any affiliated entities and fictitious business names it used or does still use
 8. Any and all documents related to how the EPA investigated and/or responded to any complaint received (from any source) related to the Work.
 9. Any and all documents related to the outcome of any investigation into any complaint the EPA received (from any source) related to the Work.
 10. Any and all communications related to any complaint made (from any source) to the EPA related to environmental conditions at HPNS.
 11. Any and all documents related to how the EPA investigated and/or responded to any complaint received (from any source) related to environmental conditions at HPNS.
 12. Any and all documents related to the outcome of any investigation into any complaint the EPA received (from any source) related to environmental conditions at HPNS.
 13. Any and all communications related to the EPA's review and/or analysis of any Work conducted by any Tetra Tech Entity at HPNS.

14. Any and all documents related to any independent analysis conducted by the EPA of data collected by any Tetra Tech Entity and/or Subcontractor related to Work at HPNS. (**“Subcontractor”** as used herein refers to any Person hired by any Tetra Tech Entity to perform any Work at HPNS, including the Subcontractor’s agents, subsidiaries, employees, predecessors and any affiliated entities and fictitious business names it used or still uses. **“Subcontractor”** includes, but is not limited to, Radiological Survey & Remediation Services, LLC, New World Environmental, Inc., New World Technology, IO Environmental & Infrastructure Incorporated, and Aleut World Solutions. **“Person”** as used herein means all individuals (natural persons), entities, firms, organizations, groups, committees, regulatory agencies, governmental entities, business entities, corporations, partnerships, trusts, and estates.)
15. Any and all communications exchanged between the EPA and Navy related to the performance of Work at HPNS.
16. Any and all communications exchanged between the EPA and United States Nuclear Regulatory Commission related to the performance of the Work.
17. Any and all communications exchanged between the EPA and the City and County of San Francisco related to the performance of Work at HPNS.
18. Any and all documents related to any Incident related to any Work performed at HPNS. (**“Incident”** as used herein refers to the violation of any applicable law, regulation, rule, procedure, protocol, agreement, and/or contract.)
19. Any and all communications related to representations, statements, and or/assertions made by any Tetra Tech Entity that any area, building, and/or parcel on HPNS was clean, habitable, remediated, and/or safe.
20. Any and all communications related to the completion of any Work at HPNS.
21. Any and all communications related to the need to conduct radiological retesting at HPNS.
22. Any and all documents related to the future commercial development of HPNS.
23. All documents related to the appointment by EPA of a Remedial Project Manager (“RPM”) for the Work.
24. All documents related to the appointment by EPA of a Quality Assurance Officer (“QAO”) for the Work.
25. All documents related to the development of the Quality Assurance Project Plan (“QAPP”) for the Work.

26. All documents related to EPA's approval of the QAPP for the Work.
27. All documents related to audits or investigations related to the EPA's quality assurance of Work performed by any Tetra Tech Entity.
28. All documents related to the preparation of data validation requirements for the Work.
29. All documents related to the percentage of laboratory samples for the Work that were subject to data validation by EPA.
30. All documents related to the use of double-blind quality control samples for the Work.
31. All documents related to data validation conducted by EPA of laboratory samples collected for the Work at HPNS.
32. All documents related to EPA's failure to conduct data validation of samples collected for the Work.
33. All documents and communications related to laboratory audits related to the Work.
34. All documents and communications related to actions taken by the RPM to ensure that sampling is performance in accordance with the QAPP.
35. All documents and communications related to actions taken by the QAO to ensure that sampling for the Work is performed in accordance with the QAPP.
36. All documents and communications related to actions taken by the RPM to ensure that sampling for the Work is performed in accordance with contractual and work plan requirements.
37. All documents and communications related to actions taken by the QAO to ensure that sampling for the Work is performed in accordance with contractual and work plan requirements.
38. All documents related to the termination of any Tetra Tech Entity to conduct Work at HPNS.
39. All Communications from 2001 to the present between the EPA and U.S. Government Accountability Office related to the Navy's supervision and oversight of its contractors performing remediation of radiological or environmental contamination.

40. All documents from 2001 to the present related to the development, documentation, or implementation of specific procedures for EPA employees to follow in order to oversee and supervise EPA contractors performing remediation of radiological or environmental contamination.
41. All documents related to any EPA audits of contracts to perform Work at HPNS.
42. All documents related to any EPA audits of Work conducted by any Tetra Tech Entity or its Subcontractors.
43. All EPA manuals, policies, procedures or guidelines related to the EPA's supervision of Work conducted by any Tetra Tech Entity or its Subcontractors.
44. All communications related to the EPA's enforcement of provisions in any Contract Documents for Work conducted by any Tetra Tech Entity or its Subcontractors.
45. All documents related to any EPA audits of invoices submitted by any Tetra Tech Entity for Work at HPNS.
46. All documents and communications related to the EPA's investigation of conflicts of interest held by EPA employees supervising Work conducted by any Tetra Tech Entity or its Subcontractors.
47. All communications related to the EPA's supervision of Work conducted by any Tetra Tech Entity or its Subcontractors.

Referral to Appropriate Agency: To the extent that the requested information is with another federal agency or subcomponent, we request that those offices additionally be searched for the requested information.

Records Claimed as Exempt: Should the EPA respond by invoking a FOIA exemption with respect to any of the records requested herein, please include in your response: (1) basic factual material about the withheld item, including author/originator, date created/revised, length, general subject matter, and location; and (2) explanation(s) and justification(s) for withholding of the record, including identification of the claimed exemption and a full explanation of the applicability of the claimed exemption to the requested record. Where only a portion of a record is exempt from disclosure, please redact the exempt portion, provide the information requested above regarding the exempt material, and provide the remainder of the record. If you deny any part of this request, please cite each specific reason that you think justifies your refusal to release the information. Please notify the undersigned of appeal procedures available under the law.

Record Delivery: We would appreciate receiving the above information as soon as possible, but no later than 20 working days from the receipt of this request as required

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by the statute. 5 U.S.C. § 552(a)(6)(A). If the agency determines that it cannot satisfy this FOIA request within the required 20 working days, please set forth in detail what “unusual circumstances” exist for the delay, and please specify the earliest practicable date for responding to this FOIA request. 5 U.S.C. § 552(a)(6)(B). We ask that you please produce the requested documents as soon as practicable and, if necessary, in a piecemeal fashion. The contact information for this request is, as follows:

Matt Wickersham
Alston & Bird
333 South Hope Street, 16th Floor
Los Angeles, CA 90071
Tel: 213-576-1185
Cell: 310-699-0931
matt.wickersham@alston.com

We look forward to your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Matt Wickersham". The signature is fluid and cursive, with the first name "Matt" being more prominent than the last name "Wickersham".

Matt Wickersham